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*Counsel for Defendants Creative Labs, Inc.
and Creative Technology Ltd.*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GOOGLE INC.,

Plaintiff,

v.

CREATIVE LABS, INC. and
CREATIVE TECHNOLOGY LTD.,

Defendants.

Case No. 3:16-cv-02628-JST

**STIPULATED REQUEST AND
[PROPOSED] ORDER TO
ENLARGE TIME FOR
BRIEFING AND MOVE
HEARING ON CREATIVE'S
MOTIONS TO DISMISS,
CREATIVE'S MOTION TO
STAY, AND CASE
MANAGEMENT CONFERENCE
TO NEW DATE**

[Civil L.R. 6-1, 6-2, 7-12]

1 Pursuant to Civil Local Rules 6-1, 6-2, and 7-12, Google Inc. (“Google”), Creative Labs,
2 Inc. and Creative Technologies Ltd. (collectively “Creative”), through their undersigned counsel,
3 hereby agree and stipulate as follows:

4 WHEREAS, on June 9, 2016, Google served its complaint upon Creative Labs, Inc.;

5 WHEREAS, on June 8, 2016, this Court set the Case Management Conference for August
6 24, 2016;

7 WHEREAS, on June 29, 2016, the parties filed a stipulation to extend the deadline for
8 Creative to respond to Google’s complaint to September 13, 2016;

9 WHEREAS, on June 29, 2016, this Court granted the parties’ stipulation and rescheduled
10 the Case Management Conference to September 28, 2016;

11 WHEREAS, on September 13, 2016, Creative filed a Motion to Stay Proceedings, a
12 Motion to Dismiss Pursuant to Rule 12(b)(6), and a Motion to Dismiss Pursuant to Rule 12(b)(1)
13 (“Creative’s motions”), all for hearing by this Court on November 3, 2016;

14 WHEREAS, the parties seek to minimize the burdens on this Court by scheduling the
15 Case Management Conference and the pending motions on the same date;

16 WHEREAS, counsel for Google has a scheduling conflict with the current date of
17 November 3, 2016 for hearing Creative’s motions;

18 WHEREAS, Google’s oppositions to Creative’s motions are currently due September 27,
19 2016, and Creative’s replies in support of Creative’s motions are currently due 7 days later on
20 October 4, 2016;

21 WHEREAS, Pursuant to Civil L.R. 6-1, the parties have conferred and agree on
22 (1) extending the time for Google to oppose Creative’s motions by 13 days from September 27,
23 2016 to October 10, 2016; (2) extending the time for Creative to reply in support of Creative’s
24 motions by 10 days for a total of 17 days; (3) moving the hearings for Creative’s motions,
25 currently set for November 3, 2016, to November 9, 2016; and (4) moving the Case Management
26 Conference to the same date of November 9, 2016;

27 WHEREAS, the parties’ requested time modification does not affect any other deadline in
28 this case,

1 NOW THEREFORE, pursuant to Civil L.R. 6-1 and 6-2, Google and Creative, by and
2 through their respective counsel of record, hereby stipulate and respectfully request as follows:

3 1. The deadline for Google to oppose Creative's motions, currently due September
4 27, 2016, be extended by 13 days to October 10, 2016;

5 2. The time for Creative to reply in support of Creative's motions be extended by 10
6 days for a total of 17 days;

7 3. The date of the Initial Case Management Conference, currently set for September
8 28, 2016, be changed to November 9, 2016 or another date specified by the Court; and

9 4. The date of the hearings on Creative's motions, currently set for November 3,
10 2016, be reset for November 9, 2016 or another date specified by the Court.

11
12 Dated: September 21, 2016

Respectfully submitted,

13 By: /s/ Bijal V. Vakil
14 Bijal V. Vakil

15 Attorneys for Plaintiff
16 Google Inc.

17 Dated: September 21, 2016

Respectfully submitted,

18 By: /s/ Jonathan Baker
Jonathan Baker

19 Attorneys for Defendants
20 Creative Labs, Inc. and Creative Technologies
21 Ltd.

ATTESTATION CLAUSE

I, Bijal V. Vakil declare that Jonathan Baker, counsel for Defendants, has authorized me to add his e-signature and to file the foregoing document STIPULATED REQUEST AND [PROPOSED] ORDER TO ENLARGE TIME FOR BRIEFING AND MOVE HEARING ON CREATIVE'S MOTIONS TO DISMISS, CREATIVE'S MOTION TO STAY, AND CASE MANAGEMENT CONFERENCE TO NEW DATE.

Dated: September 21, 2016

By: /s/ Bijal V. Vakil

Bijal V. Vakil

[PROPOSED] ORDER

Plaintiff Google Inc. and Defendants Creative Labs, Inc. and Creative Technology Ltd. ("the parties") have stipulated to extend the deadline for Google to oppose Creative's Motion to Stay Proceedings, Creative's Motion to Dismiss Pursuant to Rule 12(b)(6), Creative's Motion to Dismiss Pursuant to Rule 12(b)(1) ("Creative's Motions") by 13 days, moving it from September 27, 2016 to October 10, 2016. The parties have also stipulated to extend the time for Creative to reply in support of Creative's Motions by 10 days for a total of 17 days. The parties have also stipulated to reset the Initial Case Management Conference, currently set for September 28, 2016, and the hearings on Creative's Motions currently set for November 3, 2016, to November 9, 2016.

The parties' joint stipulation is GRANTED. Google's oppositions to Creative's Motions shall be due by October 10, 2016. Creative shall have 17 days to reply in support of Creative's Motions. The Initial Case Management Conference and the hearings on Creative's Motion to Stay Proceedings, Creative's Motion to Dismiss Pursuant to Rule 12(b)(6), Creative's Motion to Dismiss Pursuant to Rule 12(b)(1) are hereby reset for ~~November 9, 2016~~ November 17, 2016.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 21, 2016By: Jon S. Tigar
United States District Judge